

TESTIMONY OF SCOTT MILLER

Senate Bill 2341 – Access to NDPERS Data

Good Morning, my name is Scott Miller. I am the Executive Director of the North Dakota Public Employees Retirement System, or NDPERS. I am here to testify in support of Senate Bill 2341.

This bill grants NDPERS the specific authority to provide de-identified health insurance information to political subdivisions for their use in obtaining bids for a separate health insurance plan. NDPERS has been providing this information for years, but a recent, more specific request for information caused us to review exactly what we could share. Pursuant to that review, we could not find the specific authority to share the information. This bill clarifies that.

We have also proposed the attached amendment to Senator Davison. The amendment grants NDPERS the specific authority to share necessary health insurance information with prospective bidders in NDPERS' own request for proposals process in order to obtain the most accurate bids possible. NDPERS currently has the implied authority to do so; this makes that authority explicit.

PROPOSED AMENDMENTS TO SENATE BILL NO. 2341

Page 1, line 2, after “Code,” insert, “and to amend and reenact section 54-52.1-05.1,”

Page 1, after line 11, insert the following:

Section 2. Amendment. Section 54-52.1-05.1 of the North Dakota Century Code is amended and reenacted as follows:

54-52.1-05.1. Health insurance benefits coverage - Insured and provider data disclosure. Except as necessary for treatment, payment, or health care operations, a carrier providing health insurance benefits coverage under this chapter may not disclose identifiable or unidentifiable insured or provider data or information to a related or unrelated health care delivery entity. The board may establish exceptions to the disclosure limitations under this section for the limited purpose of addressing public interest and benefit activities, ~~or~~ for the limited purpose of addressing research, public health, or health care operations, or as necessary for board business purposes, including the solicitation of bids pursuant to section 54-52.1-04. An exception established by the board under this section may not be more permissive than allowed under state and federal privacy laws.

Renumber accordingly.